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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,283	12/06/2001	Shinya Seno	217042US3	5250

22850 7590 05/25/2004

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EXAMINER

HEITBRINK, JILL LYNNE

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 05/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/003,283	Applicant(s) SENO ET AL.	
	Examiner Jill L. Heitbrink	Art Unit 1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 8-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/8/02</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-7 in Paper filed April 5, 2004 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 3, 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 3 recites the limitation "said outside air inlet part" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 6(dependent on claim 2) recites the limitation "said outside air inlet part" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 6(dependent on claim 1) recites the limitation "said slit" in line 3. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 7(dependent on claim 2) recites the limitation "said outside air inlet part" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 7(dependent on claim 1) recites the limitation "said slit" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 1732

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasuda et al., Pat. No. 5,972,276. Yasuda et al. discloses the injection molding of a resin into the cavity followed by solidification (production of a shaped resin article), an outside air inlet part (col. 4, line 25) formed on said metal mold and opened to an optional part of said cavity (col. 4, lines 26 and 27) to allow the outside of the metal mold to communicate with the cavity inside, and a stepped part (col. 11, lines 18-26) formed within the cavity of the metal mold orthogonally to the flowing direction (see Fig. 1) of the molten resin injected into the cavity. The outside air inlet part being a slit is disclosed by Yasuda et al.'s gap (col. 10, line 65). The outside air inlet part or slit being formed in the stepped part or the boundary of the steps of the stepped part is shown by the gas introduction pin 8 being located in the stepped region bounded by the ribs as shown in Fig. 1 of Yasuda et al. The steps being continuous is disclosed by Yasuda et al. as shown in Fig. 1 and the shape of the article produced in Figs. 18-20, the ribs are continuous providing continuous steps. The gas feeding means for forcedly feeding a prescribed gas during and/or after the injection of the molten resin is disclosed by Yasuda et al. (col. 11, lines 34-38).

11. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Asai, Pat. No. 5,545,365. Asai discloses the injection molding of a resin into the cavity followed by solidification (col. 5, line 8), an outside air inlet part (29, Fig. 1) formed on said metal mold and opened to an optional part of said cavity (H) to allow the outside of

Art Unit: 1732


the metal mold to communicate with the cavity inside, and a stepped part (gate G, corner formed by parts 25 and 24 and step formed by part 22) formed within the cavity of the metal mold orthogonally to the flowing direction (from nozzle N) of the molten resin injected into the cavity. The outside air inlet part being a slit (formed between ejector sleeve 24 and gate cutter 25) which is formed in the stepped part or the boundary of the steps of the stepped part. The steps being continuous is disclosed by Asai which molds a disc shaped product. The gas feeding means for forcedly feeding a prescribed gas after the injection of the molten resin is disclosed by Yasuda et al. (col. 3, lines 34-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill L. Heitbrink whose telephone number is 571-272-1199. The examiner can normally be reached on Monday - Friday 9:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianne can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jill L. Heitbrink
Primary Examiner
Art Unit 1732

jlh